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12 Attorneys for Defendant, Stryker Corporation (sued as
13 Stryker)

14 **UNITED STATES DISTRICT COURT**

15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 RICHARD GREGUS, an individual,

17) CASE NO. 3:11-CV-00404-RS

18 Plaintiff,

19) **JOINT STIPULATION TO CONTINUE**
20) **CASE MANAGEMENT CONFERENCE;**
21) **[PROPOSED] ORDER**

22 v.

23 STRYKER, a New Jersey Corporation and
24 DOES 1 to 50, inclusive,

25 Defendant.

26 Plaintiff and defendant, by and through their counsel of record, hereby jointly request and
27 submit this stipulation to continue the case management conference as follows:

28 WHEREAS the Court has scheduled a Case Management Conference for June 2, 2011 at
10:00 a.m.;

1 WHEREAS Defendant filed a Motion to Dismiss Plaintiff's First Amended Complaint,
2 and the Court issued an Order dated April 27, 2011 granting Defendant's Motion with leave to
3 amend;

4 WHEREAS Plaintiff intends to file a Second Amended Complaint on or before May 20,

1 2011;

2 WHEREAS Defendant's response to the forthcoming Second Amended Complaint will
3 not be due until the Case Management Conference on June 2, or shortly thereafter;

4 WHEREAS the parties wish to conserve resources by allowing Defendant sufficient time
5 to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for
6 relief that survives the statute of limitations bar, and any other related issues, as well as time for a
7 hearing on any requested Court determination of legal issues that might be raised by the Second
8 Amended Complaint;

9 WHEREAS the parties are discussing the issues required for the Case Management
10 conference; and

11 WHEREAS there have been no previous modifications of time in this case requested by
12 the parties, and the parties do not anticipate this modification will have any significant impact on
13 this case.

14 NOW, THEREFORE, IT IS HEREBY STIPULATED:

15 1. The Case Management Conference currently on calendar for June 2, 2011 shall be
16 continued to August 4, 2011.

17 DATED: May 18, 2011

LAW OFFICES OF GENE SHIODA

18 By: 
19 Gene Shioda
20 James Kim
21 Attorneys for Plaintiff

22 DATED: May 19, 2011

SEDGWICK LLP

23 By: /s/ James Nelson
24 Ralph Campillo
25 Mario Horwitz
26 James Nelson
27 Attorneys for Defendant, Stryker Corporation

1 **[PROPOSED] ORDER**
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3 Pursuant to the stipulated request of the parties, the Court hereby orders that:
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5 1) The Case Management Conference currently on calendar for June 2, 2011 shall be
6 continued to August 4, 2011.
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8 Dated: May 24, 2011
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12 HONORABLE RICHARD SEEBOORG
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Sedgwick
DETERT, MORAN & ARNOLD LLP